

VZCZCXRO6033
PP RUEHDBU RUEHFL RUEHKW RUEHLA RUEHNP RUEHROV RUEHSR
DE RUEHIT #0170/01 1360802
ZNY CCCCC ZZH
P 160802Z MAY 09
FM AMCONSUL ISTANBUL
TO RUEHC/SECSTATE WASHDC PRIORITY 8949
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE PRIORITY
RUEAIIA/CIA WASHDC
RUEKJCS/DIA WASHDC
RUFOADA/JAC MOLESWORTH RAF MOLESWORTH UK
RHMFISS/JOINT STAFF WASHINGTON DC
RUEUITH/ODC ANKARA TU
RHEHNSC/NSC WASHDC

C O N F I D E N T I A L SECTION 01 OF 03 ISTANBUL 000170

SIPDIS

E.O. 12958: DECL: 05/15/2019
TAGS: [PGOV](#) [PHUM](#) [PREL](#) [OSCE](#) [TU](#)
SUBJECT: ERGENEKON: IT ALL DEPENDS ON WHERE YOU SIT

REF: A. ANKARA 550 B. ANKARA 368

Classified By: A/PO Sandra S. Oudkirk for reasons 1.4(b) and (d)

SUMMARY

¶1. (C) "Ergenekon" remains an all-encompassing term after nearly a year of indictments, investigations, arrests, and search warrants. There seem to be as many perceptions of the reality of Ergenekon as there are agendas in the Turkish domestic political realm. We spoke with several thinkers and lawyers to hear their perspectives on the meaning and validity of the Ergenekon investigation. The diverse opinions of these experts underscore the continuing opacity of the case. Although additional facts are coming to light as the investigation proceeds, understanding the whole truth may take decades, if it occurs at all. End Summary.

¶2. (C) Even the answer to the question of the existence of such a broad "deep state" network (Ref B) driven to overthrow the GOT remains unclear. Gareth Jenkins, Istanbul-based writer and analyst for the Jamestown Foundation, a Washington DC think tank, argued that what is perceived as Ergenekon is simply a collection of separate "deep state" groups established at different times for different purposes, without central control. He contends that Ergenekon is a myth that has been popularized by the ruling party to round up enemies of the AKP. While human rights lawyer and activist Orhan Kemal Cengiz thinks it is fair to view Ergenekon as centrally controlled, he agrees with Jenkins's view of the structure of deep state groups. Both Jenkins and Cengiz agreed such groups are usually organized in cells of three people, in which only one person has a connection with other cells and the remaining two act on the instruction of that one (COMMENT: This is pure speculation that appears to draw on classic insurgency tradecraft but has no basis in any Ergenekon documents, including the indictment, that have come to light so far. END COMMENT) Cengiz alleged that the cell that carried out the Malatya murders was headed by retired general Veli Kucuk, one of the principal suspects in the initial Ergenekon indictment. While Cengiz argues that such a cell is attached through actors like Kucuk to a larger web called Ergenekon, Jenkins contends that such cells are largely isolated and act independently. (COMMENT: Neither Cengiz nor Jenkins have direct knowledge about the structure of the alleged Ergenekon conspiracy, and are simply speculating on how it might have been organized. END COMMENT.)

Origins and Actors of Ergenekon

13. (C) Those who are ardent believers in the existence of Ergenekon, like Cengiz, point to the early 20th Century Committee of Union and Progress (a.k.a. "The Young Turks") as the philosophical antecedent of Ergenekon. According to Cengiz, Ergenekon has very strong historical roots and cannot be understood without a grasp of late Ottoman history. The "Young Turks" were members of a progressive political movement that sought to reform the administration of the Ottoman Empire. Members of the organization founded underground cells in which only one member would be connected to another cell. In the beginning of the 20th century, they met clandestinely, often with diverse groups opposed to Ottoman rule, to plan a revolution. Eventually, they became members of the new governing elite, consolidating and cementing control over the late Ottoman civil and military administration. Like members of the "deep state," the Young Turks believed that the state, not popular will, was the instrument by which social and political change would be achieved. Cengiz and others view Ergenekon as a sort of metastasized Gladio - an organization developed by the "deep state" to control the government that has since spun out of the system's control. The philosophical underpinnings of Ergenekon, he agreed, could be defined as an "extra-judicial form of Kemalism." According to Cengiz, the military is at the center of everything, and he has no doubt that the fabled "number one" of the organization is an active duty military officer. (COMMENT: Lead Turkish National Police investigators on the Ergenekon case have told us that they have concluded there was no "number one" who was in charge, that the group was instead guided by a committee. END COMMENT.)

ISTANBUL 00000170 002 OF 003

14. (C) The two multi-thousand page Ergenekon indictments charge the accused with crimes dating back decades and involve diverse groups like the PKK, Turkish Hezbollah, the Turkish military, and Turkish religious and nationalist groups. According to Istanbul Bar Association president Muammer Aydin, "such people wouldn't even sit together much less form an organization." The all-inclusive nature of the indictments, coupled with some extremely unlikely bedfellows, has weakened the perceived validity of the case, according to columnist Mehmet Ali Birand. However, lawyers like Cengiz and Fethiye Cetin - lawyer for Hrant Dink's family - would like to see cases like the Malatya murders and Dink tied to the Ergenekon indictment so as to expose deep state links to murders that would otherwise end with convictions of only the triggermen. According to Cengiz, Ergenekon's diverse membership itself provides additional evidence of its existence. Cengiz contends that actors like Kucuk also wanted to maintain continued chaos in Southeastern Turkey, creating and bringing together what might seem like disparate and paradoxical groups under the umbrella of Ergenekon, in order to facilitate drug trafficking activities.

15. (C) Jenkins posited that supporters of Fetullah Gulen are behind the GOT's recent focus on deep state organizations and are lashing out at their enemies, including representatives from military and secular institutions. He contended that the Gulenist-infused Turkish national police encourage the prosecutions of Ergenekon suspects.

16. (C) Cevdet Akcay, the lead economist from one of Turkey's largest banks is quite confident a good part of the Ergenekon indictments are justified. Akcay, a New York educated economist and AKP supporter, told us he remembers the abuses in the 1970s and 1980s that stymied Turkey's development. The indictments are the only way for Turkey to rectify its past, a necessary step for the country to become a viable democracy, he argues. Akcay complained that Turkey is dysfunctional because the elected government does not control the "state" -- the bureaucracy and the military.

Words Make Reality

¶17. (C) Members of the opposition as well as much of Turkish civil society was loudly critical of the twelfth wave of Ergenekon-related arrests and house searches in April (Ref A). The criticism was in part due to the search of the home of 74-year old cancer patient Turkan Saylan, the chairwoman of the Association for the Support of Contemporary Life, a well-known advocate for women's education and a prominent secular liberal figure. Despite such criticism, Cengiz and writer Mustafa Akyol both suspect that Saylan and other prominent secularists will be charged with aiding and abetting a crime because such sympathizers are in effect conspirators and should be charged as such. (COMMENT: The concept that sympathizers are conspirators has no legal justification in Turkish law. Even the infamous 301 cases are based on what defendants wrote or said, not what they thought. END COMMENT) Aydin noted that while the laws regarding aiding and abetting crimes in Turkey are similar to those in the U.S., their application is different: "In this country, even thinking something can be a crime."

Fair Trial Procedures/Laws Not Followed

¶18. (C) All of these contacts agreed that the Ergenekon case is politicized to some extent. Jenkins points out that at least some of those arrested do seem to be "bad guys doing bad things"; they are also all political opponents of the AKP. While in Ankara on May 7, Erdogan cautioned opposition party leaders against "continuing to make statements about an ongoing judicial case that aim to influence and insult the judiciary and politicians." However, Aydin claims that many politicians -- including the Prime Minister -- have made statements that clearly violate the provisions of Turkish Criminal Code 277 and 278, which prohibit acts that impact ongoing cases or investigations. Erdogan has even referred to himself as the "prosecutor" for the Ergenekon case, according to Aydin. He refers to the case as "an anti-law laboratory" and claims that most of the allegations are against innocent people who have nothing but good will for this nation. The Istanbul Bar Association, he noted, must

ISTANBUL 00000170 003 OF 003

make sure this country sticks with the principles of the Republic while also ensuring that human rights are not violated during this trial.

Ergenekon Trial: Possible Outcomes

¶19. (C) Cengiz speculated that a best case scenario for the outcome of the Ergenekon trial would be the "exposure of the whole picture of deep state activities, bringing Turkey closer to true democracy." The worst case scenario, however, might include the success of one of what have been, he claimed, "countless" attempts on Erdogan's life. Estimates of the length of the Ergenekon trial range between a couple of years, according to Cengiz, to the thirty-year statute of limitations by Aydin's estimation.

COMMENT

¶10. (C) Our conversations about Ergenekon with these interlocutors underscores, again, that one's view of the case depends in large part on where he stands on the political spectrum, and on personal motivations. Self-described "secular liberal" human rights activists like Cengiz see links to cases like the Dink and Malatya murders and a larger deep state web. On the other hand, the Kemalist president of the Istanbul Bar Association considers the Ergenekon indictment a violation of human rights, which uses the legal

system as a means to punish the government's political opponents. Both sides are also prone to uninformed speculation to fit their biased views of the case. We report these views simply as a sample of the diverse commentary that attends this unusual investigation.

Wiener